



**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ENTERED  
10/30/2020

**IN RE:** § **CASE NO: 19-32825**  
**HL BUILDERS, LLC; aka CD HOMES,** §  
**LLC** §  
**Target Debtor** §  
**CHAPTER 11**

**JUDGMENT**  
*Resolving ECF Nos. 56, 61*

Pending before the Court is a single matter self-styled as “Application for Attorney’s Fees and Costs Upon Dismissal of Involuntary Petition Pursuant to 11 U.S.C. § 303(i)(1)” (“*Fee Application*”)<sup>1</sup> filed by HL Builders, LLC f/k/a CD Homes, LLC (“*HL Builders*”) and Fuqua & Associates, P.C. On May 20, 2019, HOUTEX Builders, LLC, 2203 Looscan Lane, LLC, and 415 Shadywood, LLC (collectively, “*Petitioning Creditors*”),<sup>2</sup> filed an involuntary petition against HL Builders. The involuntary petition was subsequently amended on July 11, 2019 (“*Amended Involuntary Petition*”), and after a full trial on the merits the Court found that the Petitioning Creditors did not have standing to file the Amended Involuntary Petition, dismissed the Amended Involuntary Petition, and because HL Builders neither consented to entry of an order for relief nor waived its right to judgment under § 303(i), the Court permitted HL Builders to file an application for fees and expenses pursuant to § 303(i)(1).<sup>3</sup>

On April 9, 2020, Petitioning Creditors filed an objection (“*Fee Objection*”) to the Fee Application and on June 10, 2020, the Court held a hearing on the Fee Application and Fee Objection.<sup>4</sup> After considering the pleadings on file, arguments of counsel, post-trial briefings, evidence in the record and all applicable case law the Court finds that the Fee Application should be granted in part and denied in part. It is therefore:

**ORDERED** that

1. HL Builders, LLC is awarded \$79,968.50 in reasonable and necessary attorney’s fees; and \$2,344.35 in expenses for a total award of \$82,312.85.<sup>5</sup>
2. In the suit at bar, the rate that will be in effect on the date of the entry of the judgment will be 0.13% per annum until paid.<sup>6</sup>

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<sup>1</sup> ECF No. 56

<sup>2</sup> ECF No. 1.

<sup>3</sup> ECF Nos. 52, 53.

<sup>4</sup> ECF No. 61.

<sup>5</sup> See ECF Nos. 56, 61.

<sup>6</sup> *Post-Judgment Interest Rates*, United States District & Bankruptcy Court Southern District of Texas, <http://www.txs.uscourts.gov/page/post-judgment-interest-rates> (last visited October 30, 2020).

SIGNED 10/30/2020.



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Eduardo V. Rodriguez  
United States Bankruptcy Judge